

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
REQUEST FOR FILING NATIONAL PATENT APPLICATION

Under 35 USC 111(a) and Rule 53(b)

PATENT APPLICATION

Mail-stop PATENT APPLICATION
Commissioner of Patents
Alexandria, VA 22313-1450

NONPROVISIONAL
NON REISSUE
NON PCT NAT PHASE

Sir:

Herewith is the CONTINUATION-IN-PART PATENT APPLICATION of
Inventor(s): **David B. AGUS**

Title **USE OF BENZOTHIOPENES TO TREAT AND
PREVENT PROSTATE CANCER**

Atty. Dkt.: PW 81476 294295
M# Client Ref

including:

Date: March 15, 2002

1. Specification: 33 pages (only spec. and claims)
2. ☐ Specification in non-English language
3. Declaration ☐ Original ☐ Facsimile/Copy ☒ Abstract 1 page(s); 56 numbered claims
4. ☒ Drawings: 6 sheet(s) ☐ informal; ☒ formal of size: ☐ A4 ☒ 11"
5. ☐ See top first page re prior Provisional, National or International application(s). ("X" box only if info is there and do not complete corresponding item 5 or 6). (Prior M# SN)
6. AMEND the specification please by inserting before the first line: -- This is a ☐ Continuation-in-Part
☐ Divisional ☐ Continuation ☐ Substitute Application (MPEP 201.09) of:
6(a) ☐ National Appln. No. filed
6(b) ☐ International Appln. No. filed
which designated the U.S., and that International Application ☐ was ☐ was not published under PCT Article 21(2) in English.--
7. ☐ AMEND the specification by inserting before the first line: -- This application claims the benefit of U.S. Provisional Application No. 60/ , filed --
8. ☐ Attached is an assignment and cover sheet. Please return the recorded assignment to the undersigned.
9. ☐ Prior application is assigned to
by Assignment recorded Reel Frame
10. FOREIGN priority is claimed under 35 USC 119(a)-(d)/365(b) based on filing in (country)
- 11.

| Application No. | Filing Date | Application No. | Filing Date |
|-----------------|-------------|---|-------------|
| (1) | | (2) | |
| (3) | | (4) | |
| (5) | | (6) | |
| (7) | | <input type="checkbox"/> See 3 rd page for additional priorities | |

12. (No.) Certified copy (copies): ☐ attached; ☐ previously filed (date) filed on in U.S. Application No. /
13. Small entity status → ☐ is not claimed; ☒ is claimed (Pre-filing confirmation required)
- 13(a). ☐ Attached: (No.) Small Entity Statement(s) (since 9/8/00 small entity statement(s) not essential to make claim)
- 13(b) ☐ See NONPUBLICATION REQUEST under Rule 213(a) attached (PAT-258)

20456006_1_.doc

Repln. Ref: 07/25/2003 SZWDIE1 0012142400
Dkt#: 161805 Name/Number: 10625152
FC: 9204 \$370.00 CR

PAT-102 (UTILITY APPLN.) 10/01

08306 US PTO
10/625152
07/23/83

Repln. Ref: 07/25/2003 SZWDIE1 0012142400
Dkt#: 161805 Name/Number: 10625152
FC: 9204 \$370.00 CR

14. **DOMESTIC/INTERNATIONAL** priority is claimed under 35 USC 119(e)/120/365(c) based on the following provisional, nonprovisional and/or PCT international application(s):

| Application No. | Filing Date | Application No. | Filing Date |
|-----------------|-------------|-----------------|-------------|
| (1) 10/412,087 | May 9, 2002 | (4) | |
| (2) | | (5) | |
| (3) | | (6) | |

15. ☐ This application is being filed under Rule 53(b)(2) since an inventor is named in the enclosed Declaration who was not named in the prior application.

16. ☐ Attached:

17. ☐ Preliminary Amendment:

THE FOLLOWING FILING FEE IS BASED ON CLAIMS AS FILED LESS ANY ABOVE CANCELLED

| | | | | Large/Small Entity | | Fee Code |
|---|----|------------|-----|--------------------|---------|----------|
| 18. Basic Filing Fee | | | | \$740/\$370 | \$370 | 101/201 |
| 19. Total Effective Claims | 56 | minus 20 = | *36 | x \$18/\$9 = | + 648 | 103/203 |
| 20. Independent Claims | 8 | minus 3 = | *5 | x \$84/\$42 = | + 420 | 102/202 |
| *If answer is zero or less, enter "0" | | | | | | |
| 21. If any proper multiple dependent claim (ignore improper) is present, add (Leave this line blank if this is a reissue application) | | | | + \$280/\$140 | + 0 | 104/204 |
| 22. TOTAL FILING FEE ENCLOSED = | | | | | \$1,443 | |
| 23. If "non-English" box 2 is X'd, add Rule 17(k) processing fee | | | | + \$130 | + 0 | 139 |
| 24. If "assignment" box 8 is X'd, add recording fee | | | | + \$40 | +0 | 581 |
| 25. <input type="checkbox"/> Attached is a Petition/Fee under Rule No. | | | | + \$130 | + 0 | 122 |
| 26. TOTAL FEE ENCLOSED = | | | | | \$1,443 | |

Our Deposit Account No. 16-1805

Our Order No. 81476 C# 294295 M#

CHARGE STATEMENT: The Commissioner is hereby authorized to charge any fee specifically authorized hereafter, or any missing or insufficient fee(s) filed, or asserted to be filed, or which should have been filed herewith or concerning any paper filed hereafter, and which may be required under Rules 16-18 (missing or insufficient fee only) now or hereafter relative to this application and the resulting Official document under Rule 20, or credit any overpayment, to our Account/Order Nos. shown above for which purpose a duplicate copy of this sheet is attached.

This CHARGE STATEMENT does not authorize charge of the issue fee until/unless an issue fee transmittal form is filed.

**Pillsbury Winthrop LLP
Intellectual Property Group**

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SDL/sjb

NOTE: File in duplicate with 2 post card receipts (PAT-103) & attachments

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re PATENT APPLICATION OF

David B. AGUS

Group Art Unit: Unknown

Appln. No.: Unassigned

Examiner: Unassigned

Filed: July 23, 2003

Atty Dkt: 81476-294295

C# M#

Title: ***USE OF BENZOTHIOPENES TO TREAT AND
PREVENT PROSTATE CANCER***

CERTIFICATE OF MAILING VIA U.S. EXPRESS MAIL

Express Mail Label No. EL 860937017 US

Date of Deposit: July 23, 2003

MAIL-STOP PATENT APPLICATION

Commissioner for Patents

P. O. Box 1450

Alexandria, VA 22313-1450

Dear Sir:

I hereby certify that the following documents:

- X Request for Filing Continuation-In-Part Patent Application
- X Patent application (33 pages of specification; 1 page abstract; 56 claims)
- X Petition to Accept Color Drawings/Photographs, plus 3 sets of color drawings
- X Checks in the amount of \$370 and \$1068 to cover the filing fees
- X Sequence Listing, along with a 3½" diskette containing electronic copy of Sequence Listing
- X 6 sheets of formal drawings
- X Return postcard

are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service with sufficient postage under 37 CFR 1.10 on the date indicated above and are addressed to: MAIL-STOP PATENT APPLICATION, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Dated: July 23, 2003



Sherry J. Batalla